



**DEPARTMENT OF THE ARMY**  
**HEADQUARTERS UNITED STATES ARMY FORCES COMMAND**  
**1777 HARDEE AVENUE SW**  
**FORT MCPHERSON GEORGIA 30330-1062**

REPLY TO  
ATTENTION OF

AFLG-PR

13 November 1998

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Contracting Information Letter (CIL) 99-6

1. This CIL contains information on the following subjects:

- a. Reducing Contract Fund Citations,
- b. Secure Environment Contracting (SEC) Congressional Notification for Contract Awards,
- c. Information Vulnerability and the World Wide Web,
- d. Army Civilian Career Evaluation System (ACCES) Job Referral System,
- e. Fringe Benefits,
- f. Short-term Contractor Temporary Duty (TDY) in Germany, and
- g. Payment to Vendors.

2. Reducing Contract Fund Citations. Reference memo from the Office of the Secretary of Defense, 8 May 1998, SAB (encl 1). This memo provides guidance in the effort to hold the number of contract fund citations to a minimum. For additional information, please contact Sandi Bruner at DSN 367-6296.

3. Secure Environment Contracting (SEC) Congressional Notification for Contract Awards. Reference memo, SARD-PS, 22 October 1998, SAB (encl 2). This memo updates the requirements for Congressional notification of SEC awards. For additional information, please contact LTC Kenneth Cobb at DSN 367-5510.

4. Information Vulnerability and the World Wide Web. Reference memo from the Undersecretary of Defense, 20 October 1998, SAB (encl 3). DOCs are requested to ensure strict compliance with the attached memorandum. For additional information, please contact Irene Hamm at DSN 367-5632.

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SUBJECT: Contracting Information Letter (CIL) 99-6

5. Army Civilian Career Evaluation System (ACCES) Job Referral System. Reference memo, SARD-PR, 21 October 1998, SAB (encl 4). Effective immediately, CP-14 ACCES referral lists will contain a minimum of 25 names (if possible) and a maximum of 100 names. This will allow additional candidates to be referred.

6. Fringe Benefits. Some contracting personnel are misinterpreting guidance in CIL 97-32, paragraph 1, regarding application of the new methodology for determining prevailing health and welfare fringe benefits on service contracts. In accordance with 29 CFR 4.25(b), the minimum rate for all benefits not legally required will be changed as indicated over a four year period. It was not the intent of this section to remove holidays, vacations, and other benefits required by law from consideration as fringe benefits. Holidays and vacations are applicable as fringe benefits, but are not included in the new methodology for determining prevailing health and welfare fringe benefits under the McNamara-O'Hara Service Contract Act (SCA) that became effective on 1 June 1997. Vacation and holiday benefits will continue to be specified in SCA Wage Decisions based on data showing the benefits prevailing in the locality. Please make a pen and ink change to add "from this methodology" to the first sentence and delete "of \$1.16 per hour". The current rate is \$1.39 and changes annually over a four year period. For additional information, please contact Pat Boterweg at DSN 367-6207.

7. Short-term Contractor Temporary Duty (TDY) in Germany. Reference memo, SARD-PS, 9 October 1998, SAB (encl 5). This memo describes the conditions and provides forms necessary for a contractor to send personnel to Germany under the auspice of an Army contract.

8. Payment to Vendors. The following information was provided by the Defense Finance Accounting Service (DFAS), Orlando Operating Location (OPLOC-0) and may be applicable at your individual OPLOC's:

a. Vendors without TINs or EFT Addresses: Effective October 1, 1998, Orlando will be forced to return invoices to vendors as "invalid" when vendors are not registered for payment

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by EFT or when vendors do not have a Tax Identification Number (TIN). Contracting personnel should be letting vendors know about these policies so it should come as no surprise. However, we solicit your help in making sure all vendors are notified. By the way, there is no interest payable for invalid invoices.

b. Duplicate Vendors in our Database: In relation to creating EFT addresses for each vendor by 1 October 1998, we have been experiencing difficulty with vendor IDs being created in the CAPS-W (Army) database. Installation Contracting offices submit contracts via SAACONS interface into CAPS-W. If the ID number is not entered on the contract, the system generates the next consecutive number as the ID number for any vendor not already in the system exactly the same way (spelling as well as punctuation), i.e., Acme, Inc. is not same as Acme Inc. This is continuing to create multiple vendor addresses in the system.

We could eliminate this problem if Directors of Contracting could use the D.U.N.S. number as the ID number. This number is generated by CCR and is unique to each vendor. The SAACONS interface will bump this number against the vendor table and reject the vendor as a duplicate if this number already exists. Each EFT account and "remit-to address" requires a unique D.U.N.S. for each vendor. This will ensure that we are using the correct payment method, the correct address, and will cut down on multiple 1099s being sent to vendors each year.

c. Dr. John J. Hamre's letter on Purchase Card Program: On 20 July 1998, Dr. Hamre signed a letter subject: Purchase Card program Reengineering Implementation Memorandum #6: Streamlined Payment Practices, in which he has asked everyone in the Department to support the expedited expansion of the purchase card program. Reference Contracting Information Letter (CIL) 99-02.

d. Fraudulent or Potentially Fraudulent Payment Documentation: A situation at another paying office brought to light a persistent problem in the DoD payment process. Even though there are written procedures on how to deal with errors on invoices, contracts, and receiving reports, many financial technicians have got in the habit of taking short-cuts. When the

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SUBJECT: Contracting Information Letter (CIL) 99-6

individual fraudulently paid himself over \$1 million, he routinely used altered documents. Therefore, four common practices from the past are now no longer acceptable:

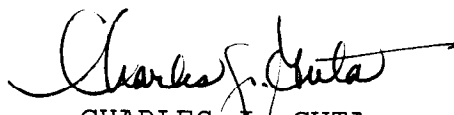
- (1) Use of white-out
- (2) Use of correction tape
- (3) Cutting and pasting
- (4) OPLOC personnel making corrections to payment documentation

Instead of using white-out, correction tape, and cutting/pasting, the proper way to correct a mistake is to cross through the error with one line, making sure not to obliterate the original information. The correct information is then added in ink. Corrections not made in this manner will result in the documents being rejected back to the sender. As a matter of expediency, OPLOC personnel have made corrections to documents on behalf of our installation customers, usually after confirming the correct information telephonically. We are no longer able to do this. We will have to return the documents to you for correction.

Many documents are sent electronically. If these have errors, they cannot be corrected. We will have to notify our customers of errors and they will have to make the corrections and transmit new documents. Since many documents are remotely input directly into the payment system, it is incumbent on these remote users to also implement these more stringent procedures at those locations. By working together, we will be able to eliminate the potential for fraud.

If additional information is needed contact Ms. Sandra Bruner, DSN 367-6296 or email [bruners@forscom.army.mil](mailto:bruners@forscom.army.mil).

5 Encls  
as



CHARLES J. GUTA  
Colonel, AC  
Chief, Contracting Division, DCSLOG  
Principal Assistant Responsible  
for Contracting



OFFICE OF THE SECRETARY OF DEFENSE  
WASHINGTON, DC 20301



May 8, 1998

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (RESEARCH,  
DEVELOPMENT AND ACQUISITION)  
ASSISTANT SECRETARY OF THE ARMY (FINANCIAL  
MANAGEMENT AND COMPTROLLER)  
ASSISTANT SECRETARY OF THE NAVY (RESEARCH,  
DEVELOPMENT AND ACQUISITION)  
ASSISTANT SECRETARY OF THE NAVY (FINANCIAL  
MANAGEMENT AND COMPTROLLER)  
ASSISTANT SECRETARY OF THE AIR FORCE (ACQUISITION)  
ASSISTANT SECRETARY OF THE AIR FORCE (FINANCIAL  
MANAGEMENT AND COMPTROLLER)  
DIRECTORS OF THE DEFENSE AGENCIES

SUBJECT: Reducing Contract Fund Citations

The acquisition and financial management communities have worked together in recent years to improve the integrity of the financial management process. A major goal of that effort has been to reduce unmatched disbursements and improve the timeliness and accuracy of contract payments. Additional progress is possible if we can hold the number of contract fund citations to a minimum. Reducing the number of fund citations will result in simpler contracts, fewer opportunities for unmatched disbursements, and less payment prevalidation effort.

In order to hold the number of contract fund citations to a minimum, the establishment of separate contract fund citations within the same congressional funding line shall be limited to situations where it is needed to comply with one of the following requirements:

- . Congressionally mandated reporting requirements contained in regulation or congressional committee reports.
- Information specifically required in the "DoD Financial Management Regulation."
- Information specifically required in Program Objective Memoranda or budget guidance signed by the Under Secretary of Defense (Comptroller) (USD(C)), the Principal Deputy Under Secretary of Defense (Comptroller), or the Director, Program Analysis and Evaluation.



- Information identified in writing by the USD(C) as necessary to prepare the Department's annual audited financial statements.
- Information required by the Office of Management and Budget, Department of Treasury, or other Federal Agency when the requirement is contained in a signed policy directive issued by the applicable agency.

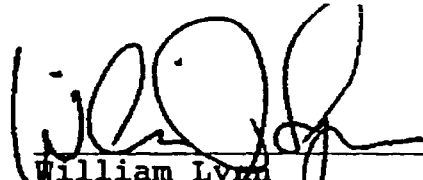
Exceptions for additional separate contract fund citations within the same congressional funding line may be made with the prior written approval of the applicable Assistant Secretary of a Military Department (Financial Management and Comptroller) and Service Acquisition Executive. Written approvals for Defense Agencies may be granted by the Director of a Defense Agency and the Director, Defense Procurement, Office of the Under Secretary of Defense (Acquisition and Technology). This authority shall not be further delegated.

Additionally, we request that the acquisition and financial management communities within each Military Department and Agency work together to examine their financial data needs to determine whether the information being collected is essential, and if so, whether it already is available or otherwise attainable without the need for a separate subdivision of funds within a contract. We note with satisfaction steps taken along these lines by the Commander, Naval Air Systems Command (NAVAIR) and NAVAIR Program Executive Officers in their memorandum of August 19, 1996, which we are providing for your information, and by the Deputy Commander/Comptroller of the Naval Sea Systems Command.

These requirements are effective for contracts entered into on or after October 1, 1998. The point of contact in the Financial Management/Comptroller community is Mr. Nelson Teye, Deputy Chief Financial Officer, (703) 697-0503, and in the Acquisition community is Mrs. Eleanor Spector, Director of Defense Procurement, (703) 695-7145.



Jacques Gansler  
Under Secretary of Defense  
(Acquisition & Technology)



William Lynn  
Under Secretary of Defense  
(Comptroller)

Attachment



DEPARTMENT OF THE NAVY  
NAVAL AIR SYSTEMS COMMAND  
NAVAL AIR SYSTEMS COMMAND HEADQUARTERS  
1421 JEFFERSON DAVIS HWY  
ARLINGTON VA 22243

IN REPLY REFER TO

3100  
Ser AIR-2.2/CLI  
19 Aug 96

**JOINT LETTER**

**From:** Commander, Naval Air Systems Command  
Program Executive Officer for Tactical Aircraft Programs  
Program Executive Officer for Air ASW, Assault and Special  
Mission Programs  
Program Executive Officer for Cruise Missiles and Joint  
Unmanned Aerial Vehicles

**Subj:** REDUCTION OF LINES OF ACCOUNTING AND CONTRACT LINE  
ITEMS IN TEAM CONTRACTS

**Ref:** (a) DFARS 204.7107  
(b) DFARS 204.7103 and 204.7104

1. We are committed to changing business practices that contribute to problem disbursements on TEAM contracts. Many initiatives are under way by the TEAM, Defense Finance and Accounting Services (DFAS) and Defense Contract Management Command to resolve this difficult issue. As the paying agent for TEAM contracts, DFAS believes that the complexity of our contracts contributes to problem disbursements. To remove contract complexity as a possible contributor to problem disbursements, effective immediately, all TEAM program managers, contracting officers and business and financial managers shall minimize the lines of accounting, Accounting Classification Reference Numbers (ACRNs), and Contract Line Item Numbers (CLINs) on TEAM contracts. This policy applies to new contracts, modifications to contracts for new procurement, and direct cite funding documents that will result in contracts.

2. Reference (a) requires a unique ACRN for every unique line of accounting on a contract. A contract shall not cite more than one line of accounting when the fiscal year, appropriation, subhead and project unit are the same. Each Requiring Financial Manager (RFM) shall manage all other financial information for internal budget execution purposes. Effective 01 October 1996, approved deviations will be required prior to issuance of financial accounting data sheets for procurements that deviate from this policy. The cognizant Assistant Program Executive Officer (Contracts) must approve each deviation to this policy. Exceptions to this policy include external customer funds such as Shipbuilding & Conversion Navy (SCN), Foreign Military Sales (FMS), Defense Business Operating Funds (DBOF), and other non-NAVAIR funds. Consulting Services (also known as Contracted Advisory and Assistance Services (CAAS) as defined in FAR 372) are also exempt from this policy due to statutory tracking requirements. Nevertheless, the TEAM shall make every effort

ATTACHMENT

Subj: **REDUCTION OF LINES OF ACCOUNTING AND CONTRACT LINE  
ITEMS IN TEAM CONTRACTS**

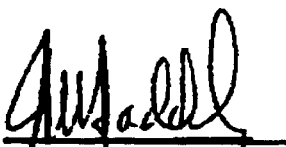
to reduce the use of unique lines of accounting. FMS case managers shall make every effort to develop and implement Letters of Offer and Acceptance in order to reduce lines of accounting.

3. Also, the TEAM must minimize the use of CLINs and Subline Item Numbers (SLINs) with individual prices. Generally, priced CLINs/SLINs shall equal the number of ACRNs, unless the requirements of reference (b) and sound business practices dictate otherwise. Each procurement planning conference shall discuss and include in the planning agreement the CLIN/SLIN and ACRN structure.

4. Another initiative to reduce lines of accounting and priced CLINs/SLINs on TEAM contracts is to limit the use of internal project directives (PDs) which pass funding authority from RFMs to participating managers (PARMs). Further analysis will be conducted on the exceptions to the above policy with the potential result of further restricting or completely eliminating internal PDs.

5. This policy is effective through 30 September 1999.

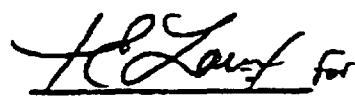
6. Implementation guidance for this policy, to include training, will be provided in the near future. The point of contact for accounting issues resulting from this policy is AIR-7.6.2, Mr. Gilbert Beckner at (703)604-2288, extension 4332. The point of contact for contracting issues resulting from this policy is AIR-2.1.1, Ms. Kathy Young at (703)604-2005, extension 6126.



**J.W. HADDOCK**  
PEO(A) (Acting)



**J. A. COOK**  
PEO(T)



**B. A. STRONG**  
PEO(CU)



**J. A. LOCKARD**  
COMMANDER

**Distribution:**  
(See page 3)



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
RESEARCH DEVELOPMENT AND ACQUISITION  
103 ARMY PENTAGON  
WASHINGTON DC 20310-0103

OCT 26 1998

2 OCT 1998

SARD-PS

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Secure Environment Contracting (SEC) Congressional  
Notification for Contract Awards

References:

a. AR 715-30 (Confidential), dated September 15, 1995, subject,  
Secure Environment Contracting.

b. HQDA (SFRD-KR) Message, DTG 251700Z February 1993,  
subject, Secure Environment Contracting

The purpose of this memorandum is to update the requirements for  
Congressional Notification of Secure Environment Contracting (SEC)  
awards as enumerated in paragraph 1 of reference b. above.

Whenever a SEC contract (whether classified or unclassified) is  
awarded in an amount exceeding \$5,000,000.00, a Congressional and  
public notification is required in accordance with DFARS 205.303. There  
remains no standing exceptions from the requirement based on security  
considerations.

If the award is not classified, normal notification procedures will be  
followed. Should such procedures cause a security violation or award is  
classified, notifications must be made through the following secure  
channels:

a. Upon award, the Contracting Officer should transfer the  
information required by DFARS 205.303(A)(ii) to the properly cleared point  
of contact in the Office of the Principal Assistant Responsible for  
Contracting (OPARC). For all offices other than the Army Materiel  
Command (AMC) (AMC OPARCs should submit the information through  
AMC headquarters secure point of contact), the OPARC should transfer the  
required information by secure fax to:



Headquarters, Department of the Army  
Technology Management Office  
ATTN: DACS-DMP  
The Pentagon, Room 1D711  
Washington, D.C. 20310-0200

Commercial: (703) 695-8393  
Secure Fax: (703) 693-3940

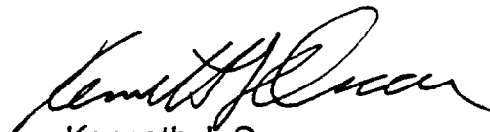
b. The Technology Management Office (TMO) will then contact the designated Congressional Liaison Office (SALL-SPA) at (703) 697-8133. They will pass the notification to the appropriate Congressional Liaison Officer. These individuals will assure that the appropriate cleared Congressional Committee members or staffers are briefed. A copy of the documentation will be provided to the SARDA SEC Oversight Office (listed below). This will satisfy the requirements of DFARS 205.303(A)(iii).

All other Congressional Notifications required by FAR, DFARS or AFARS will be handled based upon the dictates of the specific SEC procurement. Standard or secure reporting should be followed when deemed appropriate.

All SEC procurement oversight for OASA(RDA) in conjunction with the Technology Management Office (SARD-SO/TMO) rests with:

HQDA (SARD-ZP)  
ATTN: SEC Oversight Office  
5109 Leesburg Pike  
Skyline 6, Suite 916  
Falls Church, Virginia 22041-3201

My staff point of contact for this action and SEC matters is Mr. C. Riley, telephone DSN 761-6700 or (703)681-6700, fax (unsecure) DSN 761-7580 or (703)681-7580, e-mail: [rileyc@sarda.army.mil](mailto:rileyc@sarda.army.mil).



Kenneth J. Oscar  
Deputy Assistant Secretary of the Army  
(Procurement)



THE UNDER SECRETARY OF DEFENSE  
3010 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-3010



OCT 20 1998

ACQUISITION AND  
TECHNOLOGY

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY, RESEARCH  
DEVELOPMENT AND ACQUISITION  
ASSISTANT SECRETARY OF THE NAVY, RESEARCH  
DEVELOPMENT AND ACQUISITION  
ASSISTANT SECRETARY OF THE AIR FORCE,  
ACQUISITION  
DIRECTORS OF DEFENSE AGENCIES

SUBJECT: Information Vulnerability and the World Wide Web

On September 24, 1998, the Deputy Secretary of Defense issued a memorandum on this subject requiring specific actions concerning information posted by defense activities on the World Wide Web (Attachment). I want to emphasize that acquisition information, in the broadest sense, and the online public sources by which it is made available, are covered by the Deputy Secretary's memorandum. These include, but are not limited to, Commerce Business Daily synopses, requests for proposals, and material on business opportunity, program management, and Integrated Product Team homepages. I expect you to ensure that the steps called for in that memorandum are carried out with regard to acquisition information.

Program managers should also be especially sensitive to revealing potential vulnerabilities by posting program status information on their homepages. Program status information can include cost, schedule, or technical issues that may inhibit achievement of program objectives, including initial operational capability.

I also need your help in determining whether additional policy dealing with the security review and posting of acquisition information on publicly available Web sites is necessary. I have formed a working group that is currently meeting to look into this subject, the Acquisition Document Information Security Integrated Product Team, jointly headed by the Director, Defense Procurement, the Deputy Under Secretary of Defense for Acquisition Reform and the Director, Acquisition Program Integration. For those of you who have representatives on this group, I ask that you provide full support to them.

Dave Oliver  
Principal Deputy

Attachment:  
As stated





**DEPUTY SECRETARY OF DEFENSE**

1010 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1010

24 SEP 1998



**MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
CHAIRMAN OF THE JOINT CHIEFS OF STAFF  
UNDER SECRETARIES OF DEFENSE  
CHIEFS OF SERVICES  
DIRECTOR, DEFENSE RESEARCH AND ENGINEERING  
ASSISTANT SECRETARIES OF DEFENSE  
GENERAL COUNSEL OF THE DEPARTMENT OF  
DEFENSE  
INSPECTOR GENERAL OF THE DEPARTMENT OF  
DEFENSE  
DIRECTOR, OPERATIONAL TEST & EVALUATION  
COMMANDERS OF THE COMBATANT COMMANDS  
ASSISTANTS TO THE SECRETARY OF DEFENSE  
DIRECTOR, ADMINISTRATION AND MANAGEMENT  
DIRECTORS OF THE DEFENSE AGENCIES  
DIRECTORS OF THE DOD FIELD ACTIVITIES**

**SUBJECT: Information Vulnerability and the World Wide Web**

The World Wide Web provides the Department of Defense with a powerful tool to convey information quickly and efficiently on a broad range of topics relating to its activities, objectives, policies, and programs. It is at the heart of the Defense Reform Initiative and is key to the reengineering and streamlining of our business practices. Similarly, fundamental to the American democratic process is the right of our citizens to know what government is doing, and the corresponding ability to judge its performance.

At the same time, however, the Web can also provide our adversaries with a potent instrument to obtain, correlate and evaluate an unprecedented volume of aggregated information regarding DoD capabilities, infrastructure, personnel and operational procedures. Such information, especially when combined with information from other sources, increases the vulnerability of DoD systems and may endanger DoD personnel and their families.

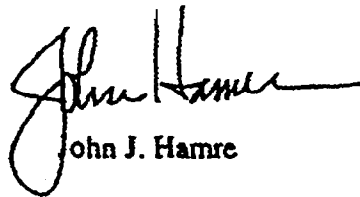
All DoD components that establish publicly accessible Web sites are responsible for ensuring that the information published on those sites does not compromise national security or place DoD personnel at risk. By authorizing the establishment of Web sites, component heads assume a management responsibility that extends beyond general public affairs considerations regarding the release of information into the realm of operational security and force protection. Component heads must enforce the application of comprehensive risk management procedures to ensure that the considerable mission benefits gained by using the Web are carefully balanced against the potential security and privacy risks created by having aggregated DoD information more readily accessible to a worldwide audience.

In view of the growing information role and vulnerability of the Web within DoD, I am directing the following steps:

- Pending the development of detailed, procedural guidance, each component head shall immediately remove the following information from their publicly accessible (e.g. not password protected or domain restricted) Web sites.
  - Plans or lessons learned which would reveal sensitive military operations, exercises or vulnerabilities.
  - Reference to any information that would reveal sensitive movements of military assets or the location of units, installations, or personnel where uncertainty regarding location is an element of the security of a military plan or program.
  - All personal information in the following categories about U.S. citizens, DoD employees and military personnel: 1) Social Security Account Numbers; 2) dates of birth; 3) home addresses, and 4) telephone numbers other than numbers of duty offices which are appropriately made available to the general public. In addition, remove names, locations and any other identifying information about family members of DoD employees and military personnel.
  - Addressees may grant waivers on a non-delegable basis when it has been determined that the immediate removal of information would adversely impact essential mission accomplishment.
- Within 60 days of the date of this memorandum, each addressee shall report the completion of the above actions to the Assistant Secretary of Defense Command, Control, Communications, and Intelligence (ASD(C3I)). Included in this report will be instances where the addressee has granted a waiver.
  - During the above period, each component will evaluate the sensitivity of technological data included on its Web sites. These assessments will address the extent that such information, when compiled with other unclassified information, reveals an additional association or relationship that meets the standards for classification under Section 1.8 (e) E.O. 12958. Recommendations addressing this issue should be included in the above report.
- The Assistant Secretary of Defense (C3I) will establish a task force to develop policy and procedural guidance that addresses the operational, public affairs, acquisition, technology, privacy, legal, and security issues associated with the use of DoD Web sites. Preliminary guidance will be promulgated within 60 days from the date of this memorandum.
- Within 3 months of the promulgation of the above procedural guidance, addressees will ensure that a comprehensive, multi-disciplinary security assessment is conducted for their DoD Web sites, and annually thereafter.

- Within 6 months from the date of this memorandum, the Assistant Secretary of Defense (C3I) will develop, in coordination with the Chairman of the Joint Chiefs of Staff, USD (P&R), and OGC, recommendations relating to the establishment of a training program which addresses information security on the Web.
- Within 6 months from the date of this memorandum, the Assistant Secretary of Defense for Reserve Affairs and the Chairman of the Joint Chiefs of Staff will develop and implement a plan that uses Reserve Component assets to conduct ongoing operational security and threat assessments of component Web sites.
- The Assistant Secretary of Defense (C3I) will accelerate the development and implementation of an architecture which enhances the protection of sensitive but unclassified information.

I believe that these steps will help us to manage Web information services better to strike the appropriate balance between openness and sound security. My point of contact is Mr. J. William Leonard, OASD(C3I) at (703) 697-2242.



John J. Hamre



REPLY TO  
ATTENTION OF

SARD-PM

DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
RESEARCH DEVELOPMENT AND ACQUISITION  
103 ARMY PENTAGON  
WASHINGTON DC 20310-0103

21 OCT 1998

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Civilian Career Evaluation System (ACCES) Job Referral  
System

In response to inquiries on the difficulties in obtaining adequate numbers of referral candidates from the ACCES referral system, we have entered into a new referral approach. This approach will be implemented immediately. The new referral allocations agreed on should ensure that you get an adequate number of candidates from the lists available while still retaining a quality cut. The memorandum from the Office of The Assistant Secretary Manpower and Reserve Affairs (ASAM&RA) is provided as an enclosure.

The bottom line is you will receive 75 percent of those available up to 100, but in no case less than 25 if there are 25 on a referral list.

Should you have any questions, my point of contact for this action is Don Tucker, DSN 761-1046, COM (703) 681-1046, FAX (703) 681-1121, Email: [tuckerd@sarda.army.mil](mailto:tuckerd@sarda.army.mil). If Mr. Tucker is not available, contact Jim Edgar, COM (703) 681-1043, DSN 761-1043, Email: [edgarJ@sarda.army.mil](mailto:edgarJ@sarda.army.mil).

Kenneth J. Oscar  
Functional Chief's Representative  
Civilian Contracting and  
Acquisition Career Program

Enclosure

DISTRIBUTION:  
PRINCIPAL ASSISTANTS RESPONSIBLE FOR CONTRACTING  
HQ, U.S. Army Materiel Command, ATTN: AMCRDA-AC (PARC),  
5001 Eisenhower Avenue, Alexandria, VA 22333-0001  
U.S. Army Aviation and Missile Command, ATTN: AMSAM-AC, Redstone  
Arsenal, AL 35898-5280

ENCL 4



ENCLOUSER

October 6, 1998

MEMORANDUM FOR OFFICE OF THE ASSISTANT SECRETARY,  
RESEARCH DEVELOPMENT AND ACQUISITION,  
FUNCTIONAL CHIEF REPRESENTATIVE FOR  
CIVILIAN CONTRACTING AND ACQUISITION  
CAREER PROGRAM

SUBJECT: Army Civilian Career Evaluation System (ACCES) Job Referral  
System

Reference your memorandum, dated September 04, 1998, same subject.

After a thorough analysis of the numbers of candidates being considered for Contracting and Acquisition Career Program referral lists, we agree that a larger number of candidates should be referred. Effective immediately, we will change the number of candidates referred on all CP-14 referral lists to 75% of the number considered with a minimum of 25 names (if possible) and a maximum of 100 names. This will allow additional candidates to be referred, in most cases, where the number of candidates to be considered is greater.

Please contact Ms. Roxann D. Dent, Chief, Career Management Operations Branch if any additional information is desired, DSN: 221-9293, COM 703 325-9293, email: [dentr@asamra.hoffman.army.mil](mailto:dentr@asamra.hoffman.army.mil).

James M. Alward  
Chief, Central Program  
Operations Division



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
RESEARCH DEVELOPMENT AND ACQUISITION  
103 ARMY PENTAGON  
WASHINGTON DC 20310-0103

REPLY TO  
ATTENTION OF

09 OCT 1998

SARD-PS

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Short-term Contractor Temporary Duty (TDY) in Germany

In order for a contractor to send personnel to Germany under the auspice of an Army contract, that person must either (in order of preference):

a. Be identified by the German Government as Technical Experts (TE) or Troop Care (TC) personnel in accordance with Paragraph 72 and 73 of Supplemental Agreement to the NATO Status of Forces Agreement (SOFA) (reference OUSD-A&T-DP/FC memorandum dated May 22, 1998, subject: Contracts to be Performed in the Federal Republic of Germany (Germany) as published in U.S. Army Procurement Policy Alert Bulletin No. 98-008, dated June 16, 1998, and posted to the SARDA Web Site).

b. Obtain a German work permit.

c. Be exempted from the provisions of the German Work Permit Ordinance (GWPO) from attaining a German work permit. If the personnel are granted an exemption, it must be stressed they have no SOFA status and therefore are not entitled to any tax-free logistic support.

Note: Due to the anticipated delay (up to 20 weeks estimate) in getting TE or TC status approved, the German Ministry of Labor has agreed to a short-term TDY (up to 90 days) arrangement. This is the maximum time which the GWPO will allow an exemption to be granted. Working one day after a 90 day exemption has been granted makes the individual subject to prosecution by the German authorities and subject to payment of applicable taxes for the entire period.

The United States contractor personnel status should be determined prior to departure for Germany. The contractor should datafax appropriate information contained on attached "Request for Confirmation of Exemption from the Requirement to Obtain a Work Permit" to the State Labor Office (Landesarbeitsamt (LAA) Baden-Wuerttemberg in Stuttgart. The fax number for LAA (from CONUS) is 011-49-711-941-1525. The "Purpose of the Visit" will



be a short explanation, in a minimum of detail and in German, on what the individual will be specifically doing to contribute to a mission critical contractual requirement (for example: install, repair or maintain a communication system). This will be used to establish the legal basis for exemption. The Contracting Officer's Representatives (CORs) can be asked to assist in drafting the German language explanation. Note: The German LAA Office should respond within seven working days from receipt of requested datafax.

The German Government would like to keep the number of exemption requests to a minimum. If an individual can qualify as a TE under Article 73, that avenue must be pursued, time permitting. Therefore, qualified TEs who will require intermittent TDY periods in Germany should be processed for their TE designation by submitting the required accreditation packages through the DOCPER.

Individual contractor personnel can use a less-than-90-day TDY on more than one occasion even if the total period exceeds 90 days. However, it should be stressed that the German Ministry of Labor has determined that periods in excess of 180 days would probably result in denial of exemption.

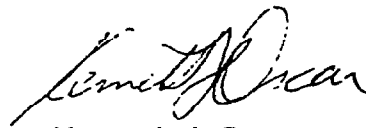
Agreement was reached permitting potential contractors to travel to Germany to determine interest in future bidding on Government contracts. "Pre-contractual negotiations" will not be covered under the GWPO.

Contractor personnel, who are not qualified, formally recognized as TEs, TCs or formally exempted, must apply for German Work Permit before they begin work. Such personnel depart for Germany at their own risk.

The GWPO recognizes a specific exemption for senior contractor personnel ("leitende Angestellte"). A senior contractor personnel is defined as one who is empowered to bind the contractor to business agreements/arrangements (possessing a general power of attorney referred to as "Prokura" or "Generalvollmacht"). Such a senior company executive should possess a letter, on company letterhead, identifying the individual, his/her title, the purpose of the visit, the period of the visit and a statement to the effect that the individual "has the authority to legally bind the company in matters concerning why the company executive is visiting company employees in Germany."

USAREUR will be monitoring the process for the short-term TDY program through the Office of the Staff Judge Advocate, Chief, Foreign Law Branch, HQ USAREUR/7A.

My staff point of contact is Mr. C. Riley, telephone (703)681-6700 or DSN 761-6700, fax (703)681-7580 or DSN 761-6700, email "rileyc@sarda.army.mil."



Kenneth J. Oscar  
Deputy Assistant Secretary of the Army  
(Procurement)

**DISTRIBUTION:**

**PRINCIPAL ASSISTANTS RESPONSIBLE FOR CONTRACTING**  
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Anderson Way S.W., Fort McPherson, GA 30330-1064

**Request for Confirmation of Exemption from the  
Requirement to Obtain a Work Permit**

**Antrag auf Bestätigung einer Arbeitserlaubnisfreien Tätigkeit**

**Name/Name:** \_\_\_\_\_

**SSN/Sozialversicherungsnummer:** \_\_\_\_\_

**Date & Place of Birth/ Geburts-datum/-ort:** \_\_\_\_\_

**Firm/Firma:** \_\_\_\_\_

**Contract #/Vertragsnummer:** \_\_\_\_\_

**Place of Work/Ort der Beschäftigung:** \_\_\_\_\_

**Purpose of Visit/Zweck des Besuchs:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Estimated Dates of Visit/Voraussichtliche Zeiten des Besuchs:**

from/von \_\_\_\_\_

until/bis \_\_\_\_\_

**FAX Number of Firm/FAX-Nr. der Firma: 001-** \_\_\_\_\_

**Signature of Representative of the Firm/Unterschrift des Bevollmächtigten der Firma:**

\_\_\_\_\_

**Es wird hiermit bestätigt, dass die Tätigkeit des Herrn/Frau**

\_\_\_\_\_  
**(Name)**

\_\_\_\_\_  
**(Geburtstag/Date of Birth)**

\_\_\_\_\_  
**(Firma/Firm)**

\_\_\_\_\_  
**(FAX-Nr./FAX #)**

\_\_\_\_ im Sinne von Paragraph 9, Nr. 1 Arbeitserlaubnisverordnung  
\_\_\_\_ im Sinne von Paragraph 9, Nr. 3a Arbeitserlaubnisverordnung  
\_\_\_\_ im Sinne von Paragraph 9, Nr. 3d Arbeitserlaubnisverordnung  
eine Arbeitserlaubnisfreie Beschäftigung darstellt.

Ort, Datum/Place, Date

Firma/Firm

**Antrag auf Bestätigung einer arbeitserlaubnisfreien Tätigkeit**

**Request for Confirmation of Exemption from the Requirement to Obtain a Work Permit**

**Name/Name:**

**SSN/Sozialversicherungsnummer:**

**Date & Place of Birth/ Geburtsdatum/-ort:**

**Firm/Firma:**

**Contract #/Vertragsnummer:**

**Place of Work/Ort der Beschäftigung:**

**Purpose of Visit/Zweck des Besuchs:**

evtl. weitere Beschreibung auf Beiblatt/  
if appropriate, see further explanation  
on attached sheet

**Estimated Dates of Visit/**

**Voraussichtliche Zeiten des Besuchs:**

from/von

until/bis

**FAX Number of Firm/FAX-Nr. der Firma:**

001-

**Signature of Representative of the Firm/**

**Unterschrift des Bevollmächtigten der Firma:**

**Landesarbeitsamt Baden-Wuerttemberg**

**Stuttgart, den**

**AZ.:**

**Bestätigung**

Es wird nach Prüfung des vorstehenden Antrages bestätigt, daß die Tätigkeit des/der genannten Arbeitnehmers/  
Arbeitnehmerin bei der beantragenden Firma im Sinne der bezeichneten Vorschrift (x) des  
Arbeitsgenehmigungsrechts eine arbeitsgenehmigungsfreie Beschäftigung darstellt.

( ) § 9 Nr. 1 Arbeitserlaubnisverordnung (AEVO) (\*)

( ) § 9 Nr. 3a Arbeitserlaubnisverordnung (AEVO) (\*)

LS ( ) § 9 Nr. 3d Arbeitserlaubnisverordnung (AEVO) (\*)

**Unterschrift**

(\*) zutreffende Fallgestaltung ankreuzen